



THE CITY OF SAN DIEGO

CITIZENS' EQUAL OPPORTUNITY COMMISSION

SPECIAL MEETING MINUTES

Friday, September 5th, 2014

8:30 a.m. – 1:30 p.m.

MOC II Auditorium

9192 Topaz Way

San Diego, CA 92123

CALL TO ORDER: 8:37 a.m. by Chair Corbin.

Chair Corbin welcomed all participants in attendance. Chair Corbin indicated the commission will review some of the policies around the areas they are responsible to monitor, which include contracting, equal opportunity standards, and personnel policies and procedures of the City. The overall purpose of the meeting is to set the commission's goals and objectives for FY15.

ROLL CALL:

Stamp Corbin, Chair

Kristine Custodio

Lan Jefferson

Gregg Torwick, Vice Chair

Dan Ortiz

Rafael Perez

Monte Jones

Laura Warner

EXCUSED:

Jon Cloud

STAFF & GUESTS:

Henry Foster III, Program Manager, Equal Opportunity Contracting

Cheryl Stadille, Contract Compliance Officer, Equal Opportunity Contracting

Dennis Gakunga, Director, Purchasing & Contracting

Darren Greenhalgh, Deputy Director, Public Works

Maggie Taylor, Employee Learning & Development Manager, Human Resources

Ramone Lewis, Supervising Management Analyst, Equal Opportunity Contracting

Claudia Abarca, Supervising Management Analyst, Equal Opportunity Contracting

Joseph Sly, Senior Management Analyst, Equal Opportunity Contracting

Kymeshia Morris, Contract Compliance Officer, Equal Opportunity Contracting

City of San Diego

Citizens' Equal Opportunity Commission

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Kristina Peralta, Program Manager, Purchasing & Contracting
Jonnabelle Domingo, Executive Secretary, Purchasing & Contracting
Assemblymember Shirley Weber, PhD

APPROVAL OF: Today's agenda, and Meeting Minutes from August 6th, 2014
Minutes approved unanimously (8/0)

Motion made by Vice Chair Torwick to approve today's agenda and August 6th Meeting Minutes, seconded by Commissioner Ortiz. Agenda & minutes approved unanimously (8/0).

NON AGENDA PUBLIC COMMENT: None.

STAFF UPDATES: None.

DISCUSSION ITEMS: None.

ACTION ITEMS: (Motions needed):

- Commissioner Warner's August Meeting Minutes Amendments (Motion for approval)

Commissioner Warner requested clarification regarding the level of detail to be provided in meeting minutes. Staff indicated that minutes are to provide highlights only, minutes are not created in a court reporting (transcript) format. All minutes include the motions made and action taken. Minutes are sent to the Commission for review and correction prior to subsequent meeting and distribution.

Motion made by Commissioner Warner to approve the August 7, 2013 with revisions, seconded by Commissioner Ortiz. Vote 8-0, motion passes.

The approved revisions are as follows:

Commissioner Warner raised concerns that because of the many allegations of sexual harassment against the Mayor as well as his own admission that he had a problem, the Mayor was no longer able to lead the City effectively and should resign his position.

Some of the other commissioners' objected to taking a position on this issue for one or all of the following reasons:

- 1) wanted to see what would happen next,*
- 2) wanted the case to go to court,*
- 3) didn't feel that their constituency would support them in taking a position to ask for the Mayor's resignation.*

As there was no support for the motion to ask for the Mayor to resign, a different motion was proposed by Commissioner Warner.

Motion made by Commissioner Warner to make following statement:

'In light of current sexual harassment allegations against the Mayor, we would like to reaffirm that the City of San Diego is an equal opportunity employer; as in committed to providing a safe working environment for all employees.'

Vote 1-4, motion fails.

Staff to revise August 7, 2013 meeting minutes and issue final minutes to commission for their records.

GUEST SPEAKER: Assemblymember Shirley Weber, PhD.

Dr. Weber spoke about the commission's history, its progression, and accomplishments during her time as Chair. Dr. Weber discussed the effects of Proposition 209, developing the small business initiative, and issues of data being available for analysis and reporting. She recommended that the commission identify 1 to 2 items to focus on for the coming year and noted that the annual report is a useful tool in planning.

Refer to *Attachment A* for additional notes.

PRESENTATION: Dennis Gakunga, Director, Purchasing & Contracting

Staff gave a brief overview of the department's make-up, processes, and future efforts to simplify the procurement process. Staff also gave an update on recent changes made to Municipal Code procurement thresholds.

PRESENTATION: Darren Greenhalgh, Deputy Director, Public Works

Staff gave an overview of the department make-up, project processes, and recent efforts made to encourage and increase SLBE participation.

PRESENTATION: Henry Foster III, Program Manager, Equal Opportunity Contracting

Staff gave an overview of rules that govern the commission (SDMC §26.16, Brown Act, & Roberts Rules of Order). A handout of commissioner appointment terms was provided.

PRESENTATION: Kymeshia Morris, Contract Compliance Officer, Equal Opportunity Contracting

Staff gave an overview on Proposition 209 and the SLBE program. Commissioner Warner noted the decrease of data for MBEs and WBEs after Prop 209. Chair Corbin noted that Prop 209 does not reference DBEs or sexual orientation.

PLANNING SESSION: Maggie Taylor, Employee Learning & Development Manager, Human Resources

Staff led the commission in a planning session to discuss commission needs and identify goals.

The following subcommittees were established with assigned members listed below:

Municipal Code Update (Disparity Study & Data)	Public Relations (Outreach, Council, Community Meetings, Education, Press Releases)	City Process Analysis & Improvement (Education of Stakeholders, Orientation for New Commissioners)
Stamp Corbin Kristine Custodio	Gregg Torwick Lan Jefferson Monte Jones Rafael Perez	Laura Warner Lan Jefferson Kristine Custodio

Refer to *Attachment B* for additional notes.

CHAIR ANNOUNCEMENTS: None.

COMMISSIONER ANNOUNCEMENTS: None.

ADJOURNMENT: 1:31 P.M.

NEXT MEETING: October 8, 2014

MATERIALS PROVIDED:

- SDMC §26.16
- Commissioner Contact List
- Commissioner Term Expiration Dates
- Prop 209 Overview
- City Attorney Legal Opinion No. 97-2
- Insight – Public Contracting in the Proposition 209 Era Handout (dated January 2012)
- Insight – Economic Development in Diverse Communities: Inclusive Procurement by Cities and Counties Handout (dated November 2013)

- UC Berkeley - The Path to Equal Opportunity: An Investigation of Best Practices in Employment and Contracting Handout
- SANDAG – FTA DBE Program Changes Handout (dated August 1, 2014)
- City Attorney Legal Memorandum – Equal Opportunity Non-Compliance Remedies (dated March 19, 2012)
- SDMC Article 2, Div. 27 – Equal Employment Opportunity Outreach Program
- SDMC Article 2, Div. 35 – Nondiscrimination in Contracting
- SDMC Article 2, Div. 36 – Small and Local Business Program for Public Works Contracts
- Council Policy 100-10 – Small and Local Business Preference for Goods, Services, and Consultant Contracts
- CIP Participation Statistics for FY11 – 13 (A&E Contracts and Construction Contracts)
- Purchasing & Contracting Department Organizational Chart
- Purchasing & Contracting Process Maps
- Public Works Contracting Group Organizational Chart
- Public Works Citizens Guide to Infrastructure – Report from the Office of the Independent Budget Analyst (dated July 2013)
- CEOC Strategic Plan 2013 (Draft)
- Previously Established Sub-Committees and Assigned Members